A.D. 5.4, Toxic Materials and Hazardous Communication Protocol
Prepared for signature 2/9/01 – effective 3/9/01

1. **Policy. The Department shall contribute to a healthy environment by: procuring the least toxic and environmentally adverse chemicals to perform a required task; handling, storing and disposing toxic materials in a safe and environmentally sound manner; and implementing required procedures in the event of a chemical spill or accident. The Department shall communicate the hazards and identities of chemicals to which staff and inmates are exposed.**

2. **Authority and Reference.**

   A. Connecticut General Statutes, Section 18-81.
   B American Correctional Association, Adult Local Detention Facilities, Third Edition, March 1991, Standard 3-ALDF-4D-03.
   C. American Correctional Association, Adult Correctional Institutions, Third Edition, January 1990, Standard 3-4312.
   D. Occupational Safety and Health Act of 1970 (29 U.S.C. 655,657) as amended (1910.1200) in the Federal Register Volume 52 No. 163, Titled Hazard Communication, effects from occurring.
   E. Hazard Communication Guidelines for Compliance (OSHA 3111) available at the Department of Correction Central Office Library or through the state Department of Labor, 200 Folly Brook Boulevard, Wethersfield, CT 06109.
   F. Federal Resource Conservation and Recovery Act (RCRA) of 1976.
   G. RCRA Orientation Manual (EPA) available at the Department of Correction Central Office Library or through the State Department of Environmental Protection, Waste Management Bureau, 79 Elm Street, Hartford, CT 06106.
   H. Connecticut Hazardous Waste Management Regulations 22a-449(c)-100 through 110 and 22a-449(c)-11, Revised July 17, 1990.
   I. Understanding the Small Quantity Generator Hazardous Waste Rules: A Handbook for Small Business (EPA with amendment notes as it pertains to Connecticut law by DEP) available at the Department of Correction Central Office Library or through the State Department of Environmental Protection, Waste Management Bureau, 79 Elm Street, Hartford, CT 06106.

3. **Definitions. For the purposes stated herein, the following definitions apply:**

   A. Hazard Communication Standard (HCS), A law which provides for an employee's right to know, which includes informational labels and Material Safety Data Sheets (MSDS).
   B. Material Safety Data Sheets (MSDS). Detailed technical information, produced by chemical manufacturers and importers, which evaluate and list the hazards of the chemicals they produce or import.
   C. Use. Package, handle, react or transfer chemical.

4. **Hazardous Material Communication Procedures. Each facility shall establish procedures for communicating the existence of hazardous materials in accordance with the Hazard Communication Standard (HCS). The procedures shall be updated annually and/or as new hazards enter the work area. At a minimum such procedures shall include the sections for**

training and information, chemical lists, non-routine tasks and special projects, and outside contractors.

A. Training and Information. Training shall be conducted at the time of an employee's initial assignment, annually thereafter and whenever a new hazard is introduced to the work area. Training and information shall be provided for staff and inmates to include:

1. a summary of the entire safety policy;
2. chemical and physical properties of hazardous materials and methods that can be used to detect the presence or release of chemicals;
3. physical hazards of chemicals;
4. health hazards, including signs and symptoms of exposure, associated with exposure to chemicals and any medical condition known to be aggravated by the exposure to the chemical;
5. procedures to protect against hazards;
6. location of Material Safety Data Sheets (MSDS), how to read and interpret the information on both labels and MSDSs, and how to obtain further information;
7. provision of the following information to employees;

a. notification of the chemicals used or stored at the facility in accordance with the requirements of 29 CFR 1910.1200;
b. operations with hazardous chemicals present;
c. location and availability of the chemical inventory;
d. location and availability of the written hazard communication program;
e. location and availability of MSDSs;
f. chemical hazards present during non-routine tasks; and
g. hazards of chemicals in unlabeled pipes.

B. Chemical List. The facility shall maintain a list of chemicals that are used at the facility. The list shall be available to anyone who would like to review the chemicals.

C. Non-Routine Tasks and Special Projects. The facility shall provide for non-routine tasks and special projects. The supervisor or designee shall have special sessions with employees to inform them of hazards associated with a non-routine task.

D. Outside Contractors. The facility shall advise outside contractors of known chemical hazards that may be encountered in the normal course of work, measures to protect their employees, and the location of the facility policy, MSDS, labeling system, protective measures and safe handling procedures.

5. Management.

A. The Facility Administrator shall designate a properly trained safety officer to:

1. develop and maintain a current list of hazardous chemicals used by the facility;
2. ensure that each chemical used for facility purposes has a current MSDSs;

3. review the MSDS prior to delivery of each hazardous chemical to determine if there is a special safety concern or need for additional precautions;
4. maintain the facility's central file of MSDSs;
5. ensure that the MSDS contains information in accordance with Attachment A;
6. ensure compliance with State law, Federal Regulations and ACA standards, which require that hazardous chemicals be handled safely and that training be conducted;
7. ensure that Material Safety Data Sheets (MSDS) shall:

    a. be available to employees before or upon arrival of hazardous materials;
    b. be available to employees, working inmates, OSHA, and designated employee representatives;
    c. meet the requirements of 29 CFR 1910.1200 (g);
    d. be provided for hazardous chemicals manufactured or produced (e.g., welding fumes or wood dust). Hazard determinations shall be as described in 29 CFR 1910.1200 (d).
    e. maintained in the safety office in case of an emergency;
    f. be attached to the packing list, to accompany the chemical to the end user;
    g. be kept in a readily accessible location by the department using the chemical; and

8. monitor and evaluate the safety program.

B. Each Department Manager, within the facility, shall be responsible to:

1. provide training and information as required by OSHA 29 CFS 1910.1200(h) to their staff, inmates and outside contractors;
2. prepare and maintain a chemical inventory;
3. utilize the least hazardous chemical to perform a given task;
4. ensure that the words "MSDS Required" are on all purchase requests for chemicals;
5. maintain and review applicable MSDSs;
6. ensure proper labeling on containers; and
7. note activities which generate sources of chemical exposure, e.g., welding fumes, dust, boiler soot blowing, etc., and requesting hazard information from suppliers;
8. restrict inmates from intrinsically dangerous chemical exposure, e.g., chemical pest control, asbestos removal and engine degreasing by utilization of volatile solvents;
9. prepare and maintain record of monthly usage of chemicals;
10. maintain records of disposal information including Hazardous Waste Manifests. If a Manifest is not used, make records of disposal that include:

    a. generator name, facility and department of program generating the waste;
    b. date of waste pick up;

c. name, address and phone number of waste transporter;
d. description of waste to be removed, chemical name, solid, liquid, gas:
e. estimated quantity of waste to be removed from premises;
f. type and quantity of containers in which the waste was stored; and
g. type and quantity of containers in which the waste will be transported.

C. The purchasing office shall ensure the following:

1. all MSDSs are obtained on hazardous chemicals, if the words "MSDS Required" are on the purchase request, prior to delivery of a hazardous chemicals to the using department. If an adequate MSDS is not supplied, as required under the contract, the order shall be returned to the supplier;
2. a copy of the MSDS is forwarded to the safety officer;
3. a copy of the MSDS is attached to the using department's packing list; and
4. the least toxic and/or environmentally adverse chemicals are purchased to perform the required task.

6. Record Keeping. Each facility's safety officer shall maintain the following:

A. A copy of all hazard communication programs (as updated).
B. A copy of all MSDSs.

7. Hazardous Waste Generator Categories.

A. A correctional facility may generate wastes that can cause serious health or environmental problems if not carefully handled and disposed. Such hazardous waste may be in the form of a gas, liquid or solid.
B. There are two (2) ways in which a waste may be brought into the hazardous waste regulatory system: by RCRA listing and by identification through characteristics. A characteristic waste has the following properties: an ignitable waste; a corrosive waste; a reactive waste which is unstable or undergoes rapid or violent reaction with water or other material; and a waste which contains metals of other materials which could leach from the waste into the environment, as determined by testing procedures. Such waste is termed EP (extraction procedure) toxic.

8. Hazardous Waste Disposal.

A. All facilities must handle and dispose of hazardous wastes in a safe and environmentally sound manner. Reporting and storage limitations are based on the monthly weight of hazardous waste materials generated. Small generators shall not maintain waste for more than a 180 day period. Large generators shall not maintain waste for more than a 90 day period.
B. Generators of no more than 100 kilograms/month (approximately 220 pounds/month or 25 gallons) are conditionally exempt from EPA and DEP reporting requirements. No more than 1,000 kilogram (2,200

pounds or 260 gallons*) of hazardous waste may be accumulated at any time.

*The gallon equivalents will vary according to the density of the waste.

C. Generators of between 100 kilogram/month (220 pounds/month or 6 gallons*) to 1,000 kilograms/month (2,200 pounds/month or 300 gallons*)are considered small generators. EPA ID Listing and reporting requirements are necessary and waste accumulation may be no more than 1,000 kilogram (2,200 pounds or 260 gallons or 5 (55) gallon drums) of hazardous waste.

D. Generators of more than 1,000 kilograms/month (2,200 pounds/month or 260 gallons*) are considered large generators. EPA ID Listing and reporting requirements are necessary. Additional storage permitting may also be required.

E. Hazardous waste may be stored in 55 gallon drums, tanks or other containers suitable for the type of waste generated. Every effort must be made to protect human health and the environment as well as reduce the likelihood of damages or injuries caused by leaks or spills of hazardous waste.

F. The containers must satisfy the following requirements.

1. Clearly mark each container with the words "Hazardous Waste," the date waste was first collected in the container and an inventory of contents.
2. Keep containers in good condition, handle them carefully and replace any leaking ones. Protect containers from rain and infiltration.
3. Keep containers closed except when filled or emptied.
4. Inspect the containers for leaks or corrosion every week.
5. Ignitable or reactive waste containers should be placed as far as possible from facility and property line to create buffer zone.
6. Never store wastes in the same container that could react together to cause fires, leaks or other releases.
7. Hazardous waste shall not be discharged into sewers or allowed to be commingled with ordinary trash.

9. <u>Preparing for and Preventing Accidents</u>. Each facility shall provide procedures to prevent and prepare for chemical accidents to include, at a minimum, the following:

A. Any sudden or accidental release of hazardous materials into the environment.

B. Appropriate types of emergency communication and fire equipment for the kinds of waste handled at the site.

C. Coordination and arrangements made with the local fire, police and hospital officials to ensure appropriate response to any potential emergency that could arise.

D. Emergency phone numbers, to include the National Response Center (1-800-424-8802), and locations of emergency equipment shall be posted near appropriate telephones and employees must know proper waste handling and emergency procedures.

E. Designation of a safety officer to ensure that emergency

procedures are carried out in the event of an emergency.

10. **Shipping and Disposal of Hazardous Waste Off-Site. State Purchasing contracts exist for vendors of hazardous waste hauling and disposal and their services in the specialized field should be utilized. The facility is responsible for the safe handling of hazardous waste even after it leaves the facility under RCRA provisions.**

11. **Records. The designated hazardous waste disposal facility operator must send the agency a copy of a hazardous waste manifest within 30 days of receipt of the waste, and the agency shall keep these records on file for a period of not less than three (3) years. The manifest is to record the transit of the waste and make sure it arrives at the proper destination.**

12. **Exceptions. Any exception to the procedures in this Administrative Directive shall require prior written approval from the Commissioner.**

Attachment A

Material Safety Data Sheet Checklist

You must ensure that each MSDS contains the following information:

1. Product or chemical identity used on the label. ____
2. Manufacturer's name and address. ____
3. Chemical and common names of each hazardous ingredient. ____
4. Name, address and phone number for hazard and emergency information. ____
5. Preparation or revision date. ____
6. The hazardous chemical's physical and chemical characteristics, such as vapor pressure and flashpoint. ____
7. Physical hazards, including the potential for fire, explosion and reactivity. ____
8. Known health hazards. ____
9. OSHA permissible exposure limit (PEL), ACGIH threshold limit value (TLV) or other exposure limits. ____
10. Emergency and first-aid procedures. ____
11. Whether OSHA, NTP or IARC lists the ingredient as a carcinogen. ____
12. Precautions for safe handling and use. ____
13. Control measures such as engineering controls, work practices, hygienic practices or personal protective equipment required. ____
14. Primary routes of entry. ____
15. Procedures for spills, leaks and clean-up.